

Rakoff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

RICHARD HERSEY, on behalf of himself and all
others similarly situated,

Docket No.
07 Civ. 7811 (JSR)

Plaintiff,

- against -

ENERGY TRANSFER PARTNERS, L.P., ENERGY
TRANSFER COMPANY, ETC MARKETING,
LTD., and HOUSTON PIPELINE COMPANY,

CLASS ACTION COMPLAINT

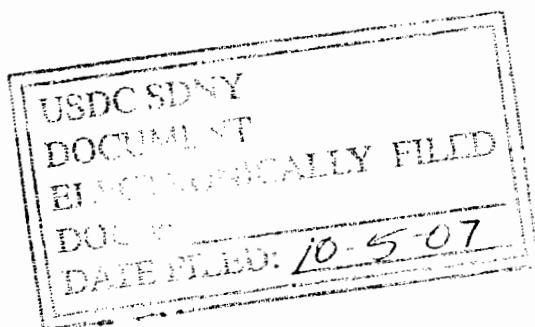
JURY TRIAL DEMANDED

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE BY PLAINTIFF**

NOTICE IS HEREBY GIVEN that Plaintiff Richard Hershey, pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, dismisses, without prejudice and without costs, the above-captioned matter (Docket No. 07 Civ. 7811 before Judge Jed S. Rakoff) against Defendants Energy Transfer Partners, L.P., Energy Transfer Company, ETC Marketing, Ltd. and Houston Pipeline Company.

Dated: October 1, 2007



Respectfully submitted,



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SO CREDIBLE



10-3-07